

REMARKS

By entry of this amendment, claims 5-8, 15, 16, 18 and 21-29 are currently pending in this application. Claims 5, 15 and 23-29 have been amended, and claims 9 and 17 have been amended. Support for the claim amendments may be found at least at FIGS. 2, 5 and 6 and ¶¶ 15, 16, 25 and 29 of Applicants' published application. In view of the foregoing amendments and following remarks, the Applicants request reconsideration of the rejections, and a notification of allowance of the Application.

CLAIM REJECTIONS UNDER 35 U.S.C. § 112

Claims 5-9 and 15-29 stand rejected under 35 U.S.C. §112, second paragraph as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 5-9 and 15-29 have been amended to more clearly describe the claimed invention. For example, the term "budget item" has been moved to more clearly define that the rule related to the budget item is stored in a rules data structure. The claims have also been amended to remove references to pointers, and use the more general term addresses. In the term "sub-node level" has been amended to "subordinate node" as shown in Applicants' FIGS. 3B and 3C, and described at any one of ¶¶ 17, 18, 27 or 32 of Applicants' published application.

Applicants respectfully submit that the claims are definite and distinctly claim the inventive subject matter. Accordingly, Applicants request withdrawal of the rejection of claims 5-9 and 15-29 under 35 U.S.C. §112, second paragraph.

CLAIM REJECTIONS UNDER 35 U.S.C. § 103

Claims 5-9 and 15-29 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Zawadzki et al. (U.S. Patent No. 7,107,268) in view of Using Microsoft Excel 97, by Hallberg Bruce A., Sherry Kinkoph and Bill Ray (hereinafter "UME") and further in view of Nakayama (U.S. Patent No. 5,317,504). Applicants respectfully traverse.

Claim 5 recites, in part:

the executing comprising:

identifying elements within the working budget database that are to be changed by the received budget item, if the new budget item is posted into the working budget database, and

identifying a subset of rules that apply to the identified elements;

applying only the test relationship in the subset of rules to the retrieved data and the received budget item;

Claim 5 now recites features incorporated from dependent claim 9. Independent claims 15 and 23 recite similar features.

Applicants submit that the applied prior art does not disclose or suggest the above highlighted claim features in combination with the other features recited in the independent claims. In making the rejection of Applicants' claim 9 at pages 10 and 11 of the Office Action, the Office asserts that Zawadzki discloses the above highlighted identifying elements within the working budget database as being disclosed in Zawadzki's FIG. 2C. However, FIG. 2C is an illustration of how a domain tree and a set of component trees for a specification can be constructed (See column 11, lines 61-65 and column 12, lines 1-9 of Zawadzki). FIG. 2C does not illustrate any steps of identifying elements within a working database.

The Office further cites column 4, lines 42-47 of Zawadzki as being relevant. The cited text states that financial objects are automatically linked to other objects that are affected by them. However, the cited text does not state identifying elements within the working budget database that are to be changed by the received budget item, if the new budget item were to be posted into the working budget database as recited in the claim. It merely says that they are automatically linked. Zawadzki does not disclose identifying the elements, and, in particular, does not disclose identifying the elements if the new budget item were to be posted into the working budget database as now recited in claim 5.

The Office cites to column 23, lines 8-10 of Zawadzki as also disclosing the above highlighted claim language. Zawadzki's column 23, lines 8-10 merely describes that any financial objects affected by a purchase order are automatically updated. But, as described at column 23, lines 5-8 of Zawadzki, this is in response to the marketing group accepting a bid and creating a purchase order and upon completion of the purchase order the task is marked as being completed. This is not identifying elements if the new budget item were to be posted into the working budget database as now recited in claim 5.

Finally, the Office asserts that Zawadzki's disclosure in column 25, lines 15-24 is relevant to the claimed feature. However, the cited text merely states that financial rollup component is

used whenever a “monetary figure is added, modified, or deleted to the project tree.” This is not an identifying elements within the working budget database that are to be changed as recited in the claims. There is no identifying step merely the changing of values. In addition, the cited changing occurs after a “monetary figure is added, modified, or deleted to the project tree.” The cited text does not disclose or suggest identifying elements within the working budget database that are to be changed by the received budget item, if the new budget item were to be posted into the working budget database as now recited in the claim.

As for the claimed feature of identifying only a subset of rules that apply to the identified elements, the Office again asserts that Zawadzki’s FIG. 2C is relevant. However, as explained above, the figure only refers to constructing a domain and component tree, it does not disclose or suggest identifying rules as now recited in claim 5.

The Office also asserts that the text in Zawadzki’s column 9, lines 19-24 disclose the claimed identifying only a subset of rules that apply to the identified elements feature. However, the cited text discusses how an industry expert inputs a set of rules to be used the compatibility engine. This is not identifying only a subset of rules that apply to the identified elements because the industry expert has no idea what is the identified element. Furthermore, the cited text refers to a specification, not to a budget. In the example following the cited text, Zawadzki provides an example of finding a supplier that has a printing press capable of printing 11x17 paper, this has nothing to do with budgets or elements related to budgets as recited in the claim.

Finally, the Office again asserts that column 25, lines 15-24 of Zawadzki is relevant. However, as explained above, the cited text merely states that the financial rollup component is used whenever a “monetary figure is added, modified, or deleted to the project tree.” This is not an identifying a subset of rules that apply to the identified elements as recited in the claim. In fact, there is no identifying step merely the changing of values.

UME is cited for its alleged disclosure of conditional rules. UME does not, and is not asserted to, overcome the above deficiencies of Zawadzki. The Office also cites Nakayama for its disclosure of a reference budget and a target budget. However, Nakayama does not overcome, and is not asserted to overcome, the deficiencies of either UME or Zawadzki. Applicants respectfully submit that Zawadzki, UME and Nakayama, individually or in combination,

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do not disclose or suggest all of the features recited in Applicants' independent claim 5. Claim 5 is allowable. Claims 6-8, 25 and 28 depend from claim 5, and are also allowable.

Similar arguments also apply to Applicants' independent claims 15 and 28, which are also allowable. Claims 16, 18, 21-24 and 29 depend from claims 15 and 28, respectively, and are also allowable.

CONCLUSION

In light of the above discussion, Applicants respectfully submit that the present application is in all aspects in allowable condition, and earnestly solicits favorable reconsideration and early issuance of a Notice of Allowance.

Although not believed necessary, the Office is hereby authorized to charge any fees required under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayments to Deposit Account No. 11-0600. The Office is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,

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